



PUBLIC COMMENT SESSION SIGN IN SHEET

OCONEE COUNTY COUNCIL MEETING

Tuesday, July 7, 2009

7:00 PM

Oconee County Administrative Offices
415 South Pine Street, Walhalla, SC

Limited to forty [40] minutes, four [4] minutes per person.
Comments MUST be related to a specific agenda item
stated for action at the meeting.

PLEASE PRINT

	FULL NAME	AGENDA ITEM FOR DISCUSSION
1 x	Richard Hughes	8 (x)
2 x	Lucie Cornelius	9 (2) STIMULUS GRANT
3 x	Bony Nichols	ZFO
4 x	JERRY BARNETT	
5 x	Jim CODNER	8 (4)
6 x	Tom Markovich	2009-16 Height restriction
7 x	John Little	
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**PUBLIC HEARING
SIGN IN SHEET
OCONEE COUNTY COUNCIL MEETING
DATE: July 7, 2009 7:00 p.m.**

Ordinance 2009-12 AN ORDINANCE TO DELEGATE RESPONSIBILITIES TO AND TO DESIGNATE THE OCONEE JOINT REGIONAL SEWER AUTHORITY AS THE AGENT OF OCONEE COUNTY FOR PURPOSES OF ACTING AS THE SECTION 208 WATER QUALITY MANAGEMENT AGENCY IN OCONEE COUNTY, AND TO RECOMMEND TO THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT IT SO RECOGNIZE THE OCONEE JOINT REGIONAL SEWER AUTHORITY; TO PROHIBIT THE DISCHARGE OF POLLUTING SUBSTANCES; TO SET PENALTIES FOR THE VIOLATION THEREOF; AND OTHER MATTERS RELATED THERETO.

Public comment will be limited to four minutes per person.
Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please PRINT your name

1. *Suzie Cornelius*

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STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
OCONEE COUNTY COUNCIL
ORDINANCE 2009-12

AN ORDINANCE TO DELEGATE RESPONSIBILITIES TO AND TO DESIGNATE THE OCONEE JOINT REGIONAL SEWER AUTHORITY AS THE AGENT OF OCONEE COUNTY FOR PURPOSES OF ACTING AS THE SECTION 208 WATER QUALITY MANAGEMENT AGENCY IN OCONEE COUNTY, AND TO RECOMMEND TO THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT IT SO RECOGNIZE THE OCONEE JOINT REGIONAL SEWER AUTHORITY; TO PROHIBIT THE DISCHARGE OF POLLUTING SUBSTANCES; TO SET PENALTIES FOR THE VIOLATION THEREOF; AND OTHER MATTERS RELATED THERETO.

BY Oconee Council in Session duly assembled and with a quorum present and voting:

PREAMBLE:

By Resolution, dated September 15, 1981, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through the Oconee County Council (the "County Council"), approved the "Regional Water Quality Management Plan and Willingness to Proceed as a Management Agency", as an integral part of an areawide water quality management plan undertaken in accordance with Section 208 of the Federal Clean Water Act (Public Law 92-500 § 1281, 33 USC 1281) for the designated planning areas of Anderson, Cherokee, Greenville, Oconee, Pickens and Spartanburg counties, and delegated implementation responsibilities to the Oconee County Sewer Commission in the same resolution. Oconee County, through the Oconee County Sewer Commission (the "OCSC"), subsequently implemented the Oconee County Water Quality Management Subplan. The Oconee County Council accepted responsibility as the Section 208 Management Agency charged with implementing and carrying out the responsibilities as set forth in Section 208 of Public Law 92-500, and by the laws of the State of South Carolina and the Ordinances adopted by Oconee County, and then delegated those responsibilities to the Oconee County Sewer Commission. As a Section 208 Agency, Oconee County/Oconee County Sewer Commission (as it was subsequently recognized in correspondence from the South Carolina Department of Health and Environmental Control ("DHEC")) was charged with the following duties (208 Water Quality Management Plan Willingness to Proceed/Implementation Statement Delegated Functions):

- (1) To provide effective wastewater management as delegated by County Council and as contained in the agency's legislation to include:
 - A. The selection of the location, planning, design, construction, and operation of all public wastewater treatment facilities and to regulate the location of private wastewater treatment facilities.
 - B. To implement the EPA-approved Areawide 201 Treatment Facilities Plan and to update the Plan periodically as necessary and appropriate.

- C. Preparation and presentation of the appropriate waste treatment policies and procedures to County Council for adoption, to include:
 - (1) Schedule of plan and fair user charges where necessary, industrial cost recovery, system charges;
 - (2) A plan for pre-treatment standards and regulatory controls to accept or refuse municipal/or industrial waste;
 - (3) Procedures to accept and utilize grants or other funds from any source for waste treatment purposes, including separately established accounts by the County Treasurer;
 - (4) Such other policies and procedures as may be appropriate.
- (2) Develop and implement an effective series of administrative management procedures and personnel systems appropriate to staff and operate the agency and discharge its duties and responsibilities.

The Oconee County Council delegated to the Oconee County Sewer Commission the following responsibilities: (from the 208 Water Quality Management Plan Willingness to Proceed/ Implementation Statement)

- (1) Serve as the single county-wide wastewater management agency for both point source and non-point source pollution control.
- (2) Develop and discharge intergovernmental agreements with local municipalities and the Oconee County Sewer Commission for the effective management of point and non-point wastewater management.
- (3) Adopt the EPA-approved Waste Treatment Facilities Plan.
- (4) Develop and adopt appropriate county-wide ordinances as may be required to:
 - A. Regulate the proper siting and location of all public and private waste treatment facilities;
 - B. Effect improvement or removal of all non-point pollution sources if so identified within the County according to their established best management practice recommended by DHEC and the EPA;

Pursuant to Chapter 25, Title 6, South Carolina Code of Laws, 1976, as amended by Act 59, South Carolina Acts and Joint Resolutions, effective June 6, 2007, Seneca, Walhalla, and Westminster by Agreement created the Oconee Joint Regional Sewer Authority ("Authority") which Authority was granted a Charter by the South Carolina Secretary of State, dated December 19, 2007, and filed with the Oconee County Register of Deeds in Deed Book 1709 at page 5. By Agreement between Oconee County and the Authority, in consideration of the Agreement filed with the Oconee County Register of Deeds in Deed Book 1709 at page 5, whereby the Authority agreed to provide wastewater treatment facilities in such places as designated by the County, the County conveyed all its sewer assets to the Authority by Deed and Bill of Sale, dated April 8, 2008, and filed with the Oconee County Register of Deeds in Deed Book 1691 at pages 1 and 9, respectively. It was the intent of Oconee County that with

the transition of sewer assets to the Authority, the OCSA eventually be disestablished as a functional, operational entity.

In order to be a designated Water Quality Management Agency, such agency must have the ability to implement the responsibilities identified for the agency in the Statewide 208 Water Quality Management Plan:

- (1) To provide effective wastewater management by authority of the agency's charter, to include establishment, or continued implementation, of a regulatory program for:
 - A. Location, modification and construction of public and private domestic wastewater treatment facilities including conveyance facilities such as collection systems and trunk lines.
 - B. Appropriate waste treatment policies and procedures to include:
 - (1) A schedule of fair user charges;
 - (2) Pretreatment standards for industrial wastes (if needed) and regulatory controls to accept or refuse municipal and/or industrial wastes;
 - (3) Such other policies and procedures as may be appropriate.
- (2) To develop or continue to implement an effective series of administrative management procedures and a personnel system appropriate to staff the agency for the discharge of its duties and responsibilities.
- (3) To carry out appropriate portions of an areawide waste treatment management plan developed under subsection (b) of Section 1288, Title 33, U.S. Code ("Subsection (b)")
- (4) To manage effectively waste treatment works and related facilities serving such area in conformance with any plan by Subsection (b).
- (5) Directly or by contract, to design and construct new works, and to operate and maintain new and existing works as required by any plan developed pursuant to Subsection (b).
- (6) To accept and utilize grants, or other funds from any source, for waste treatment management purposes.
- (7) To raise revenues, including the assessment of waste treatment charges.
- (8) To incur short-and long term indebtedness.
- (9) To assure in implementation of an areawide waste treatment management plan that each participating community pays its proportionate share of treatment costs.
- (10) To refuse to receive any wastes from any municipality or subdivision thereof, which does not comply with any provisions of an approved plan and under this section applicable to such area.
- (11) To accept for treatment industrial wastes.

Oconee County has no legal authority to fund sewer projects from sources other than those approved in a 1976 Referendum which gave rise to the OCSC (which sources included federal or state grants, user fees, and bonds payable from revenues produced from the operation of the sewer system), *Cornelius v. Oconee County*, Judgment Roll 2004-CP-37-1031, affirmed on appeal, 369 S.C. 340, 633 S.E.2d 497 (2006) however, "Nothing in the circuit court order . . . limits County's authority to contract with other public or private entities to provide sewer services See Code Ann. § 44-55-1410 (D); § 6-15-20." Footnote 3.

Oconee County Council finds that it is in the best interests of the residents and citizens of Oconee County that a single agency should continue to have the duties outlined in the 208 Oconee County Water Quality Management Subplan and should be delegated those duties set forth therein as the agent of Oconee County, as has been the OCSC.

Oconee County Council finds that the Oconee Joint Regional Sewer Authority is the only remaining agency in Oconee County which currently has the expertise and ability to monitor and regulate the collection, transportation, treatment, and discharge of all wastewater in Oconee County and finds that the Oconee Joint Regional Sewer Authority should be designated as the agent of Oconee County, the 208 Water Quality Agency for Oconee County, to implement and carry out the 208 Oconee County Water Quality Management Subplan in Oconee County, thereby replacing the Oconee County Sewer Commission in such capacity.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY OCONEE COUNTY COUNCIL, in meeting duly assembled:

SECTION 1. DEFINITIONS

1. "Authority" shall mean the Oconee Joint Regional Sewer Authority, a body politic, created by an Agreement by the Cities of Seneca, Walhalla, and Westminster, dated October 2007, and filed with the Oconee County Register of Deeds in Deed Book 1709 at page 5 and chartered by the South Carolina Secretary of State, filed with the Oconee County Register of Deeds in Deed 1709 Book at page 5.
2. "County" shall mean Oconee County.
3. "DHEC" shall mean the South Carolina Department of Health and Environmental Control.
4. "Designated Water Quality Management Agency" shall mean the Oconee County Council/Oconee County Sewer Commission as designated by Richard W. Riley, Governor of the State of South Carolina by letter dated June 1, 1979, letter of Douglas J. Fabel, dated July 3, 1985, with attachment "Status Report, 208 Management Agency Designation, October, 1981" all of which are incorporated herein, or such Agency as shall succeed the Oconee County Sewer Commission as the delegated agent of Oconee County, performing the functions of Water Quality Management Agency.
5. "EPA" shall mean the Environmental Protection Agency of the United States Government.

6. "Oconee County Sewer Commission" shall mean the agency created by Act No. 950, South Carolina Acts and Joint Resolutions, 1971, as amended by Ordinance No. 78-2, dated 28 February, 1978.
7. "Oconee County Water Quality Management Subplan" shall mean the Oconee County Water Quality Management Subplan" adopted by Resolution of the Oconee County Council, dated September 15, 1981, endorsed by the councils of the following municipalities on March 21, 1978: Salem, Seneca, Waballa, Westminster, and West Union.
8. "OJRSA" shall mean the Oconee Joint Regional Sewer Authority.
9. "Section 208" shall mean Section 208 of Public Law 92-500 (Section 1288, Chapter 26, Subchapter, II, Title 33, U.S. Code, 33 USC 1288).
10. "Wastewater" shall mean any water containing sewage, industrial waste, water containing garbage, refuse, decayed wood, sawdust, shavings, bark, sand, clay, offal, oil, gasoline, other petroleum products or by-products, tar, dye stuffs, acids, chemicals, dead animals, heated substances and all other products, by-products, or substances not sewage or industrial waste.
11. "Waters" means lakes, bays, ponds, impounding reservoirs, springs, wells, rivers, streams, creeks, and all other bodies of surface or underground water, natural or artificial, public or private which are wholly or partially or bordering Oconee County.
12. "208 Water Quality Management Agency" shall mean the governmental agency designated by appropriate authority as the agency to implement and direct the Water Quality Management Plan for Oconee County in conformity with Section 208 of Public Law 92-500, which, to this point, is Oconee County, and which, to this point, has acted through its delegated agent, the OCSC.

SECTION 2. PURPOSE

It is the purpose of the Oconee Joint Regional Sewer Authority to collect, transport and treat wastewater from the three municipalities who are members of the Authority; to collect, transport and treat wastewater from any entity as set forth in the Agreement creating the Authority, filed with the Oconee County Register of Deeds in Deed Book 1709 at page 5; to collect, transport and treat wastewater from any entity or area designated by Oconee County in accordance with an Agreement between Oconee County and the Authority, filed with the Oconee County Register of Deeds, in Deed Book 1709 at page 5; as the delegated agent of Oconee County, and as the successor to the OCSC in that regard; to advise, supervise, and manage wastewater treatment in Oconee County in conformity with the Oconee County Water Quality Management Subplan, as may be amended from time to time; and, to consult with and advise the Oconee County Council with regard to the implementation of the provisions of the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500).

SECTION 3. DESIGNATION

Oconee County, acting by and through the County Council, hereby delegates to the Oconee Joint Regional Sewer Authority its authority to act as the 208 Water Quality Management Agency for Oconee County, and the Authority shall replace the Oconee County

Sewer Commission in that regard, as the agent of the Designated Water Quality Management Agency for Oconee County, Oconee County/Oconee County Sewer Commission, as set forth in letter of Richard W. Riley, Governor of the State of South Carolina dated June 1, 1979, letter of Douglas L. Fabel, dated July 3, 1985, with attachment "Status Report, 208 Management Agency Designation, October, 1981", all of which are incorporated herein.

SECTION 4. DUTIES

As the delegated agent of the Designated Water Quality Management Agency for Oconee County and the successor, in that regard, to the OCSC, the Oconee Joint Regional Sewer Authority is charged with the Management of the Oconee County Water Quality Management Plan as may be amended from time to time, and is delegated the authority, by Oconee County, to implement and carry out the duties and responsibilities set forth therein, including:

- (1) To provide effective wastewater management as delegated by County Council and as contained in the agency's legislation to include:
 - A. The selection of the location, planning, design, construction, and operation of all public wastewater treatment facilities and to regulate the location of private wastewater treatment facilities;
 - B. To implement the EPA-approved Area-wide 201 Treatment Facilities Plan and to update the Plan periodically as necessary and appropriate.
 - C. Preparation and presentation of the appropriate waste treatment policies and procedures to County Council for adoption, to include:
 - (1) Schedule of plan and fair user charges where necessary, industrial cost recovery system charges;
 - (2) A plan for pre-treatment standards and regulatory controls to accept or refuse municipal/or industrial waste;
 - (3) Procedures to accept and utilize grants or other funds from any source for waste treatment purposes, including separately established accounts by the County Treasurer;
 - (4) Such other policies and procedures as may be appropriate.
- (2) Develop and implement an effective series of administrative management procedures and personnel systems appropriate to staff and operate the agency and discharge its duties and responsibilities.
- (3) Serve as the single county-wide wastewater management agency for both point source and non-point source pollution control.
- (4) Develop and discharge intergovernmental agreements with local municipalities and the Oconee Joint Regional Sewer Authority for the effective management of point and non-point wastewater management.
- (5) Adopt the EPA-approved Waste Treatment Facilities Plan.

- (6) Develop and propose to Oconee County Council appropriate county-wide ordinances as may be required to:
- A. Regulate the proper siting and location of all public and private waste treatment facilities;
 - B. Effect improvement or removal of all non-point pollution sources if so identified within the County according to their established best management practice recommended by DHEC and the EPA;
 - C. All other duties as outlined in the 208 Water Quality Management Plan, which is incorporated herein.

SECTION 5. AUTHORITY

The Oconee Joint Regional Sewer Authority is hereby delegated, by Oconee County, the authority to implement and enforce the Oconee Water Quality Management Plan, as the successor agent (to the OCSC) of the Designated Water Quality Management Agency for Oconee County, and to recommend to Oconee County revisions thereto to conform to the provisions of Federal or State law related to water quality management. Oconee County further recommends to appropriate State and federal regulatory agencies that the Oconee Joint Regional Sewer Authority be recognized and designated as such by such regulatory authorities.

Any entity which proposes to collect, transport, or treat wastewater shall first present to the Oconee Joint Regional Sewer Authority any plans, permits, or proposals, (defining the area to be served, the quality and quantity of the wastewater to be collected, transported, or treated, where the treated wastewater will be discharged, the number of entities to be served, the financial ability to carry out the plans submitted and a description of the facilities to be utilized ("Sewer Facilities"). OJRSA will submit to Oconee County Council a report of its finding of any impact the applying entity might have on the County's Waters, including a finding of the impact upon the County's Waters in the event the entity becomes bankrupt, or abandons the facilities. No construction permit will be issued by the County's Code Department until the plans or proposals have been presented to OJRSA and OJRSA's report has been submitted to Oconee County Council.

SECTION 6. UNLAWFUL DISCHARGE OF WASTEWATER

It shall be unlawful for any person or entity to discharge wastewater in Oconee County without a permit as required by law and any person discharging wastewater in Oconee County without a permit shall be subject to a sentence of Thirty Days in Jail or a fine of Five Hundred Dollars (\$500) or both.

SECTION 7. INCONSISTENCY

All ordinances, resolutions, and portions thereof inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

SECTION 8. SEPARABILITY

Should any court of competent jurisdiction finally find any part, portion, or provision of this ordinance to be unconstitutional or otherwise legally unenforceable, such finding shall have no effect or bearing on any and all other parts, portions and provisions hereof, all of which are hereby deemed and declared to be separable.

SECTION 9. SAVINGS

All other parts, portions and provisions of the Oconee County Code of Ordinances not specifically and explicitly revised or repealed hereby, directly or by implication, shall remain in full force and effect.

SECTION 10. EFFECTIVE DATE

This ordinance shall take effect and be in force immediately upon approval on third reading and following public hearing, in accordance with South Carolina law.

ORDAINED in meeting, duly assembled, this * day of *, 2009.

FOR OCONEE COUNTY:

Reginald T. Dexter
County Council Chairman, District V

ATTEST:

Elizabeth G. Hulse
Oconee County Clerk to Council

First Reading (in title only): June 2, 2009
Second Reading: June 16, 2009
Public Reading: July 7, 2009
Third & Final Reading:

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2009-13**

AN ORDINANCE TO RATIFY, AFFIRM AND AUTHORIZE THE USE OF CERTAIN PROCUREMENT METHODS FOR A CERTAIN OCONEE COUNTY PROJECT AND TO REVIEW, CONSIDER AND APPROVE THE AWARD OF CONTRACT FOR A CERTAIN OCONEE COUNTY PROJECT; AND OTHER MATTERS RELATING THERETO

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the "County Council"), is authorized by Section 4-9-620 of the South Carolina Code of Laws, 1976, as amended (the "Code") to provide for a centralized purchasing system for procurement of goods and services, and the County, by and through Ordinance 2001-035, which is codified at Chapter 2, Article V, Division 1 of the Oconee Code of Ordinances (the "County Procurement Code"), has implemented a centralized procurement system, and,

WHEREAS, the stated purpose of the County Procurement Code is to utilize and apply modern, business-like methods to seek out and secure contractual services for the County, and,

WHEREAS, in late 2006, the County issued a Request for Qualifications ("RFQ 06-017") for various professional services whereby the County sought proposals for the purpose of creating a list of approved qualified vendors to provide certain professional services for the County, including a specific form of construction services referred to as design-build, and,

WHEREAS, County Council acknowledges that, in certain circumstances, design-build may provide a modern and business-like method of procurement that allows for the County to avoid some of the inherent problems associated with the straight low-bid method of procurement, including, without limitation, bid-rigging, fraud, and low-ball bidding, whereby the vendor who submits the lowest bid may knowingly, or as a result of inexperience, increase the actual cost of a building project by using change-orders or by refusing to proceed until the County increases the contract, and,

WHEREAS, County Council recognizes that, in certain circumstances, the design-build method of construction may provide several distinct advantages for the County in that the County's vendors may rapidly and efficiently design and construct structures, and,

WHEREAS, County Council further recognizes that, in certain circumstances, it may be in the best interests of the County to receive design-build proposals as a method of procurement and to utilize design-build method of vendor selection as implemented by and through RFQ 06-017, and until County Council amends the County Procurement Code to provide for a procedure to review the selection of design-build services, County Council desires to review and approve any design-build projects procured by and through RFQ 06-017 before said projects are awarded, and,

WHEREAS, County Council further desires to ratify, affirm and authorize the use of design-build for the design and construction of a facility that will house the City of Westminster Fire Department and the Oconee County Emergency Protection Services Department (the "Facilities"); and,

WHEREAS, after review of the submissions and qualifications of the design-build vendor list created under RFQ 06-017, County Council finds and determines that it is in the best

interests of the County to award the contract for the design and construction of the Facilities to J. Davis Construction, Inc., because of work already done for the County by that company and that company's familiarity with the project in question, and County Council further desires to authorize and ratify any actions already taken by the County in the selection of J. Davis Construction, Inc. as the vendor for the design and construction of the Facilities.

NOW, THEREFORE, it is hereby ordained by the County Council, in meeting duly assembled that:

1. County Council hereby authorizes and ratifies the use of RFO 06-017 to seek out and select vendors to provide design-build services for the County only if the selection of the vendor for a particular project is specifically authorized by ordinance of County Council.
2. County Council hereby authorizes and directs the Oconee County Procurement Director to award the properly reviewed and approved contract for the design-build design and construction of the Facilities to J. Davis Construction, Inc., and County Council further ratifies any prior actions taken by the County in the selection of J. Davis Construction, Inc. as the vendor for the design and construction of the Facilities.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
4. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2009.

OCONEE COUNTY, SOUTH CAROLINA

Reginald T. Dexter
Chairman, Oconee County Council

ATTEST:

Elizabeth G. Hulse
Clerk to County Council

First Reading: June 16, 2009
Second Reading:
Public Hearing:
Third Reading:

Citizen-Initiated Rezoning Request



"Fairview Community" Request

Submitted by Mr. Gary McMahan

May 26, 2009

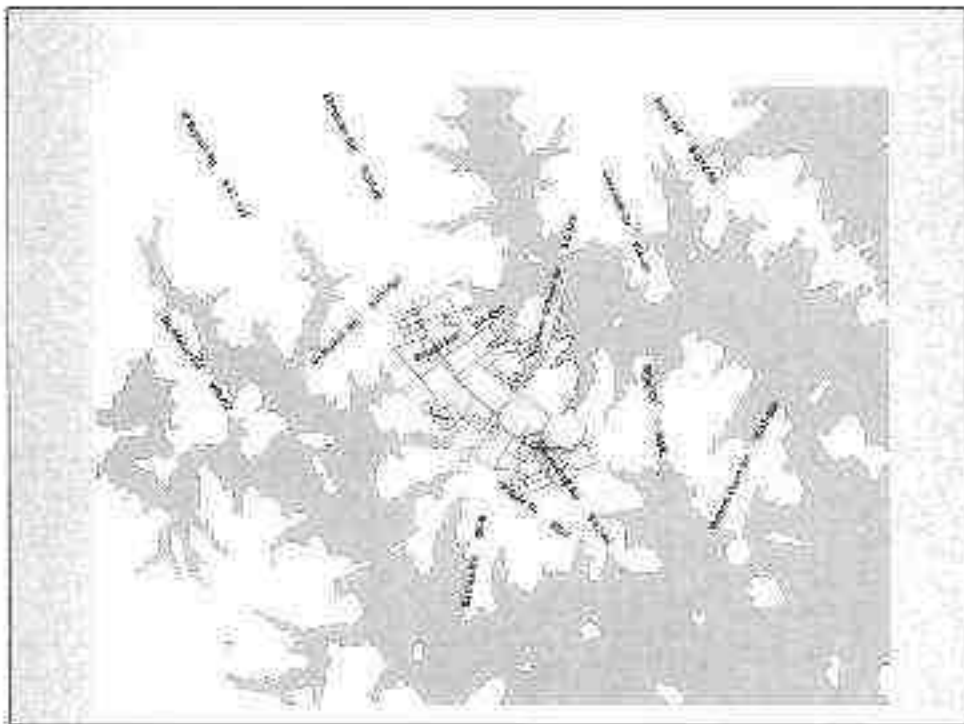
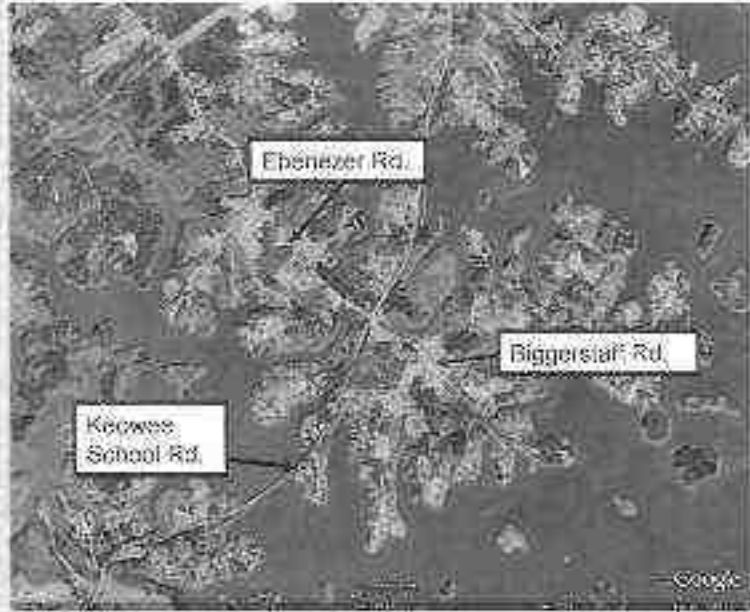
Small Area Method of Rezoning

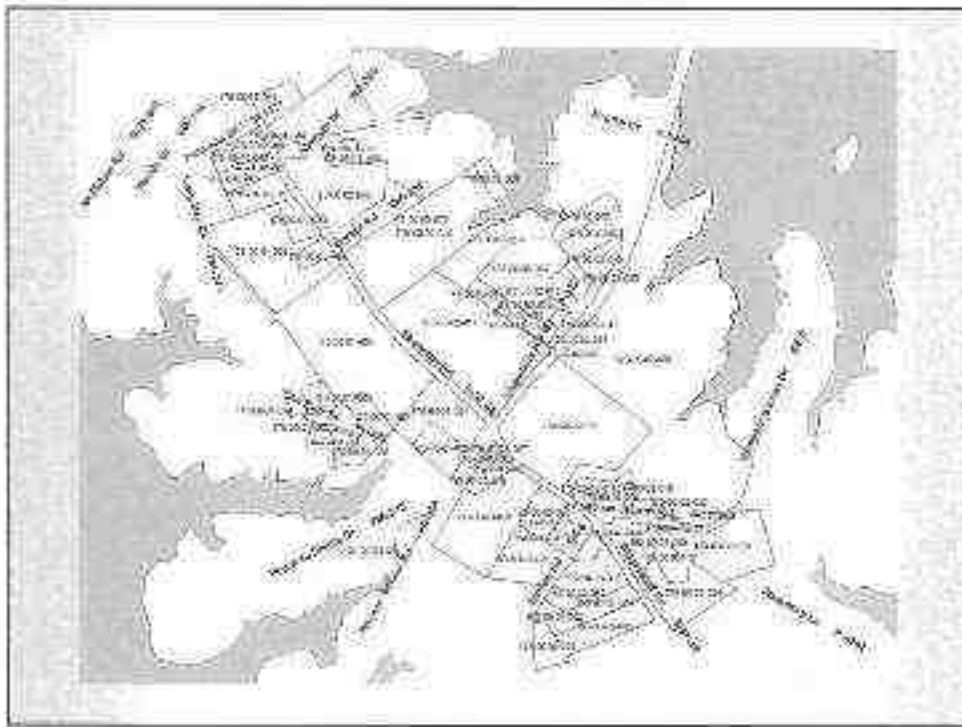
61 Parcels

Approximately 325 Acres

Signatures of 71% of Property Owners Requesting
Rezoning

Fairview Community Area





Recommendation: Refer to Planning Commission for Review, and Take First Reading of Ordinance 2009-15 (Amends Zoning Map to Reflect Rezoning)

Section 38-8.1 Consideration by Planning Commission and County Council

All proposed amendments to these regulations, official zoning map, or any other part of this document shall be reviewed by the Oconee County Planning Commission, who shall issue a recommendation to County Council. Upon receipt of the Planning Commission report, County Council shall act on the proposed amendment within sixty (60) days.

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Consideration of Citizen-Initiated Rezoning Request

BACKGROUND OR HISTORY:

The Zoning Enabling Ordinance provides for several methods of rezoning parcels out of the Control Free District (CFD). Included among these is the Small Area Method (Section 38-8.5.2), which states that:

Any property owner, or group of property owners, may petition for initial rezoning, provided the parcels proposed for rezoning are contiguous and comprise no less than two hundred (200) acres in area, or shall constitute a platted subdivision with a total area of fifty (50) acres, or a minimum of forty (40) lots, recorded in the office of the Oconee County Register of Deeds.

All such requests must be accompanied by the signatures of at least 51% of the owners of the properties identified in the rezoning request. It should be noted that this and the other methods for initial rezoning only apply to those parcels which have not been rezoned out of the CFD; parcels having already been rezoned into another base district are subject to the standards in Section 38-8.6 Subsequent Rezoning.

On January 13, 2009, Mr. Gary McMahon filed a notice of intent to request the rezoning of a series of parcels in the Fairview Community near Lake Keowee, and on May 26, 2009, submitted an official request to rezone to the Planning Department. As proposed, the request would rezone 61 parcels (encompassing slightly more than 325 acres) into the Traditional Rural District (TRD). Included in the submitted materials were the signatures of 48 individual property owners representing approximately 79% of the listed parcels. Staff has reviewed the signatures and determined, to the best of their ability, each signature represents one of the listed owners of each parcel.

This is the first rezoning request processed under the Zoning Enabling Ordinance.

SPECIAL CONSIDERATIONS OR CONCERNS:

Pursuant to state law and standards in the ZEO, all rezoning requests must be reviewed by the Planning Commission for compliance with the Comprehensive Plan.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No (review #2001-15 on Procurement's website)
If no, explain briefly: N/A

STAFF RECOMMENDATION:

Take first reading in title only on an ordinance to amend the ZEO to reflect the rezoning, and refer the request to the Planning Commission for the required review.

ORDINANCE 2009-15

FINANCIAL IMPACT:

Cost of required public notice, signs, advertisement, and mailings (in Zoning Office 2009-2010 budget)

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available? Yes / No
If yes, who is matching and how much: N/A

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

ATTACHMENTS

Copy of applicant's letter of request

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Grants

_____ Procurement

Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



Kendra Brown, Interim County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

Gary McMahan
303 Ebenezer Road
West Union, SC 29696

May 26, 2009

Mr. Art Holbrooks
Planning Director
Oconee County Planning Commission
415 South Pine Street
Walhalla, SC 29691

Art,

This is in regard to the request by property owners in the Fairview Community to be rezoned as traditional rural under Section 8.5.2, Small Area Rezoning, of the Oconee County Zoning Enabling Ordinance. Our Notice of Intent was submitted on January 13, 2009.

We have attached 48 signed partitions in order by map number. One property owner listed three separate parcels on a single partition sheet. The original partition sheet is enclosed along with two copies, and the appropriate parcel number is highlighted on each sheet.

We have included a spread sheet which summarizes the partition sheets and a map which approximates the location of the parcels which are included in this request. Copies of these documents will be sent to your office electronically as well.

There is a small parcel owned by a utility, and based on your comments, this parcel was included on the summary sheet but it was not counted as a parcel for the purposes of the rezoning process.

Please contact me at 903-9301 if you have questions or require additional information.

Thanks for your advice and assistance. Let us know what we can do to keep the process in motion.

Sincerely,



Gary McMahan

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Consideration of Planning Commission Recommendation to Make Approval of All Structures Greater than 65' a Special Exception Granted by the Board of Zoning Appeals

BACKGROUND OR HISTORY:

On April 21, 2009, County Council instructed the Planning Commission to study and make recommendations on matters related to development on ridgelines, specifically limiting taller structures that may negatively impact existing communities. The Planning Commission took up the matter under New Business at their May 2009 meeting, and on June 8, 2009, voted to recommend Council consider adopting a regulation for structures greater than 65' throughout the unincorporated areas of Oconee County. If adopted, the standard would require that all applications for such structures be reviewed as a Special Exception by the Board of Zoning Appeals, which would hold a public hearing and issue a list of findings prior to rulings. It should be noted that the Planning Commission is continuing its study of issues related to development on ridgelines, and may forward other recommendations on the matter to Council in the future.

SPECIAL CONSIDERATIONS OR CONCERNS:

The Planning Commission's recommendation is drafted in the form of an amendment to the Zoning Enabling Ordinance; however, the Commission's motion included the provision for the standard being established instead as a building standard in a section of the Unified Performance Standards Ordinance.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No (review #2001-15 on Procurement's website)
If no, explain briefly: N/A

STAFF RECOMMENDATION:

Take First Reading on an ordinance adopting the standard by amending either the Zoning Enabling Ordinance or the Unified Performance Standards Ordinance.

ORDINANCE 2009-16

FINANCIAL IMPACT:

None known.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available? Yes / No
If yes, who is matching and how much: N/A

ATTACHMENTS

A copy of the draft standard

Reviewed By/ Initials:

M. J. [Signature] County Attorney Finance Grants Procurement

Submitted or Prepared By:

Approved for Submittal to Council:

[Signature]
Department Head/Elected Official

[Signature]
Kendra Brown, Interim County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head/Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion in an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2009-016

**"AMENDMENT TO REQUIRE APPROVAL OF ALL STRUCTURES
GREATER THAN SIXTY-FIVE [65'] FEET TO BE APPROVED BY
THE BOARD OF ZONING APPEALS AS A SPECIAL EXCEPTION"**

Draft amendment to Section 9 General Provisions of the ZEO – would require approval of all structures greater than 65' (not specifically exempted by the ordinance) to be approved by the BZA as a Special Exception

(4) In addition to (not in lieu of) all other restrictions and standards set out in this ordinance, all proposed structures not exempted by Section 38-9 of this Code that are greater than sixty-five (65) feet in height, in any district, shall be subject to review and approval by the Board of Zoning Appeals as a Special Exception, before any County permits are issued for such structures. In addition to such structures having to meet all of the requirements for Special Exceptions established in Section 38-7.2 of the Code, as amended, the Board shall issue findings on each of the following criteria as part of its review and approval process:

- a. projected traffic associated with the structure, as proposed and ability of existing roadways to accommodate the increase
- b. anticipated cost of any specialized emergency response equipment and training required to serve the structure
- c. potential noise, light, fumes, shadows, obstruction of air flow, and other negative secondary effects associated with the proposed structure that may impact existing uses and/or adjacent properties
- d. the aesthetic and cultural character of the environs, specifically regarding any potential degradation of scenic views, historic sites, significant landmarks, and other sensitive areas by the proposed structure
- e. appropriateness of proposed structure in relation to the existing character of the community

ORDAINED in meeting, duly assembled, this 19th day of May, 2009.

FOR OCONEE COUNTY:

Reginald T. Dexter
Chairman, District V.

ATTEST:

Elizabeth G. Hulse
Oconee County Clerk to Council

First Reading: April 14, 2009
Second Reading: April 21, 2009
Third Reading: May 5, 2009
Public Hearing: May 19, 2009



Oconee County Planning Department

415 S. Pine Street, Walhalla, SC 29691

Telephone: 864-638-8218
Fax: 864-638-4158

June 10, 2009

To: County Council
County Attorney
Interim County Administrator

From: Art Holbrooks

Re: Planning Commission Recommendation for County-wide Height Regulation

This is to inform you that the Planning Commission voted Monday night to recommend a height regulation for future structures proposed to be located in the unincorporated areas of Oconee County. The recommendation is considered an alternative to utilizing the state "Ridgeline Law", as was initially discussed when the issue of regulating tall structures outside of the Lake Overlay was referred by County Council. It should be noted that the Commission is continuing to study issues related to ridgeline development in Oconee County, and other recommendations may be forthcoming at some point in the future. A copy of the draft height standard is attached.

In short, the proposed language would require that any structure greater than 65' in height be approved as a Special Exception by the Board of Zoning Appeals, which requires the Board to hold a public hearing and issue findings on a series of specific topics of potential concern. These include the projected impact any additional traffic resulting from the project; the cost of any additional emergency response equipment necessary to serve the structure; the potential for negative secondary impacts (i.e. noise, dust, light); potential damage to scenic views, historic sites, and cultural sites; and the appropriateness of the project in relation to the existing character of the community. The Commission feels that a major benefit of this approach is that it achieves the desired effect of providing the County with a tool to prohibit inappropriate structures, yet does not require good projects to obtain variances—it has worked well in permitting cell towers for about a decade.

Please note that the draft language is presented as an amendment to the Zoning Enabling Ordinance, which was the form reviewed by the Commission. The motion approved by the Commission, however, requests that the County Attorney review the draft standard and recommend to County Council as to whether the standard may or may not be better located in the Unified Performance Standards Ordinance.

Please do not hesitate to get in touch with me for more information.

Planning Commission Recommendation to County Council: Structures Greater than 65' in Height Approved as Special Exception

Draft amendment to Section 9 General Provisions of the ZEO

Proposed Standard-

(4) In addition to (not in lieu of) all other restrictions and standards set out in this ordinance, all proposed structures not exempted by Section 38-9 of this Code that are greater than sixty-five (65) feet in height, in any district, shall be subject to review and approval by the Board of Zoning Appeals as a Special Exception, before any County permits are issued for such structures. In addition to such structures having to meet all of the requirements for Special Exceptions established in Section 38-7.2 of the Code, as amended, the Board shall issue findings on each of the following criteria as part of its review and approval process:

a. projected traffic associated with the structure, as proposed and ability of existing roadways to accommodate the increase.

b. anticipated cost of any specialized emergency response equipment and training required to serve the structure.

c. potential noise, light, fumes, shadows, obstruction of air flow, and other negative secondary effects associated with the proposed structure that may impact existing uses and/or adjacent properties.

d. the aesthetic and cultural character of the environs, specifically regarding any potential degradation of scenic views, historic sites, significant landmarks, and other sensitive areas by the proposed structure.

e. appropriateness of proposed structure in relation to the existing character of the community.

STATE OF SOUTH CAROLINA
OCONEE COUNTY
RESOLUTION 2009-10

WHEREAS, **The Honorable Linda R. Nix** is retiring as Oconee County Auditor on June 30, 2009, at the end of her current term of office, after serving the people of Oconee County continuously since January 1, 1974 in various capacities, first as a Clerk in the Treasurer's and Auditor's Office, then as an Administrative Assistant beginning in October 1979, and then as Chief Deputy Auditor beginning in July 1989, and as Auditor of Oconee County since August of 2003, and;

WHEREAS, **Mrs. Nix** is a lifelong resident of Oconee County, having been born and raised in Tamassee, and having lived in Waihalla since 1959; and

WHEREAS, **Mrs. Nix** was educated in the public schools of Oconee County and attended Tri-County Technical College; and

WHEREAS, **Mrs. Nix** is married to Franklin Douglas Nix and has a daughter, Melissa N. Smith, and two grandchildren, Asa Jacob Smith and Noah Edward Smith, and is a member of Rocky Knoll Baptist Church and the Vines and Branches Sunday School Class, is active in many community activities and organizations, and has many varied family interests; and,

WHEREAS, **Mrs. Nix** has been active in multiple professional organizations, including the South Carolina Association of Auditing Officials and the South Carolina Association of Auditors and Treasurers, has been an officer in the South Carolina Association of Auditing Officials, and has been an officer in multiple professional and civic organizations, and has been recognized for her professional achievements; and,

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through the Oconee County Council (the "County Council"), desires to recognize and honor Oconee County Auditor **Linda R. Nix** for her many years of dedicated and devoted service to the people of Oconee County and to Oconee County government and to honor her at the time of her retirement from public service.

NOW, THEREFORE, IT IS HEREBY RESOLVED, by Oconee County Council in meeting duly assembled, that:

1. Oconee County Council hereby goes on record as recognizing and honoring **Linda R. Nix** for over 35 years of service to Oconee County and the people of Oconee County - a remarkable personal and professional achievement which is seldom seen in today's world - and for not just the length but the quality of her professional and public service, for her unwavering dedication to quality and care for the people she serves, and for the personal life which she has led in Oconee County, bringing great honor not just to her, but to her family, her community, and her faith.
2. At the time of her pending retirement from public service, Oconee County Council, on behalf of a grateful County and its citizens, hereby thanks you, **Mrs. Nix**, for being the person that you are, for your many achievements, for your long, dedicated service to Oconee County and its people, and for making all of our lives better by being who you are.

THIS RESOLUTION WILL TAKE EFFECT and be in force immediately upon enactment.

APPROVED AND ADOPTED this 7th day of July, 2009.

OCONEE COUNTY, SOUTH CAROLINA

By:

Reginald I. Dexter, Chairman of County Council,
Oconee County, South Carolina

ATTEST:

By:

Elizabeth G. Hulse,
Clerk to County Council

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: June 16, 2009
COUNCIL MEETING TIME: 7:00 P.M.

ITEM TITLE OR DESCRIPTION:

Request from the Lion's Club for the County to donate the computers that will be replaced with the new computer approved last month.

BACKGROUND OR HISTORY:

The Lion's Club has a program that refurbishes old computers and installs educational software. Computers are then distributed through the School District to 3rd and 4th graders who do not have computers at home.

SPECIAL CONSIDERATIONS OR CONCERNS:

VC3 has a program that is Department of Defense approved to clear any information off the hard drive before donation. The County will retain any peripheral equipment that could be of use. The alternative method of disposal would be to use a drill press to destroy the hard drive and dispose of in the landfill. The age and condition of these items are such that they would bring a minimal amount if the County attempted to sale. If approved the Lion's Club will pick the computers up upon request by the County.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No [review #2001-15 on Procurement's website]
If no, explain briefly:

STAFF RECOMMENDATION:

Approve donation of these computers to the Lion's Club.

FINANCIAL IMPACT:

None

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much:

ATTACHMENTS

Reviewed By/ Initials:

 County Attorney

 Finance

_____ Grants

_____ Procurement

Submitted or Prepared By:

Kendra Brown

Department Head/Elected Official

Approved for Submittal to Council:



Kendra Brown, Interim County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**STATE OF SOUTH CAROLINA
OCONEE COUNTY
RESOLUTION 2009-11**

**A RESOLUTION OF THE OCONEE COUNTY COUNCIL
AUTHORIZING THE INFORMATION TECHNOLOGY
DEPARTMENT TO DONATE PROPERLY CLEARED
COMPUTERS TO THE LIONS CLUB THROUGH A LOCAL
AFFILIATE CHAPTER**

WHEREAS, electronic equipment discards are an increasing problem, nationwide and in South Carolina, with South Carolinians disposing of more than 56,000 tons of electronics waste in 2005 with only 728 tons of the reported waste tonnage being recycled; and

WHEREAS, South Carolinians dispose of 1,955 personal computers each day; and

WHEREAS, electronics waste comprises 1.2 percent of the municipal solid waste stream and takes up valuable landfill space; and

WHEREAS, electronics waste is one of the largest known sources of heavy metals and organic pollutants in the waste stream, and often contains hazardous or toxic materials such as lead, mercury, cadmium, chromium, brominated flame retardants, and other materials that can pose hazards to human health and the environment when handled improperly; and

WHEREAS, Oconee County recognizes the importance and value of recycling and reusing computers in an environmentally friendly manner, wherever possible and cost-efficient, as being in the best interests of Oconee County; and

WHEREAS, the Lions Club (a recognized 501(c)(3) organization) has a program whereby donated computers are refurbished and distributed to third and fourth grade students in Oconee County who do not own a home computer, thereby aiding in the education effort for Oconee County residents; and

WHEREAS, the Oconee County Information Technology (IT) Department has the ability to properly clear computer hard drives and verify that all recoverable data has been permanently removed from the computer; and

WHEREAS, donating used and properly cleared computer equipment, that cannot be reused by the County or sold for value and therefore has no remaining economic value to the County, to the Lions Club poses no risk to the County; and

WHEREAS, donating such used computers to the Lions Club for redistribution in the local community constitutes a public use, in support of a public purpose by further supporting educational outreach in the community through a non-profit organization; and

WHEREAS, donation of used computers will require no additional costs or measures on the part of the County, and does not represent any loss to the County, but in fact will save money as valuable landfill space will not be used, and will contribute positive value to the community through educational reuse.

NOW, THEREFORE, it is hereby resolved by Oconee County Council, in meeting duly assembled, on behalf of all Oconee citizens, that:

1. The foregoing preamble is hereby adopted in its entirety by Oconee County Council as findings of fact, supporting this resolution.
2. County Council recognizes the value of electronics recycling by all Oconee County citizens, and by County government. Oconee County Council hereby finds that by recycling end-of-life computers which have no further economic value to Oconee County, such as through the Lions Club educational redistribution program, the County will save valuable landfill space and make an environmentally conscious and beneficial choice. At the same time, County Council, by partnering with a local chapter of the Lions Club, can help Oconee County students obtain computer technology that might normally be beyond their means, thereby furthering the educational goals of Oconee County. All of these goals and uses constitute public use for a public purpose.
3. County Council hereby authorizes the Oconee County Information Technology (IT) Department to donate such end-of-life discarded computers to a local chapter of the Lions Club for redistribution to Oconee County students for educational purposes, after all information has been completely and permanently cleared from the hard drive.
4. Should any portion of this Resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination should not affect the remaining terms and provisions of this Resolution, all of which are hereby deemed separable.
5. All orders and resolutions in conflict herewith are, to the extent of such conflict only, repealed and rescinded.

THIS RESOLUTION WILL TAKE EFFECT immediately upon enactment.

APPROVED AND ADOPTED this 7th day of July, 2009.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Reginald T. Dexter, Chairman of County Council,
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

OCONEE COUNTY COUNCIL - PROPOSED STANDING COMMITTEE MEETING

Bi-Monthly Schedule:

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Budget, Finance & Administration **		X		X		X		X		X		X
Law Enforcement, Public Safety, Health & Welfare	X		X		X		X		X		X	
Planning & Economic Development		X		X		X		X		X		X
Real Estate, Facilities & Land Management	X		X		X		X		X		X	
Transportation		X		X		X		X		X		X

** Budget, Finance & Administration will meet more frequently during the budget review process from March - June of each year. The Clerk to Council will advertise these workshop meetings.

OCONEE COUNTY COUNCIL - PROPOSED STANDING COMMITTEE MEETING

Quarterly Schedule:

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Budget, Finance & Administration **			X			X			X			X
Law Enforcement, Public Safety, Health & Welfare		X			X			X			X	
Planning & Economic Development	X			X			X			X		
Real Estate, Facilities & Land Management			X			X			X			X
Transportation		X			X			X			X	

** Budget, Finance & Administration will meet more frequently during the budget review process from March - June of each year. The Clerk to Council will advertise these workshop meetings.

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM**

ITEM TITLE OR DESCRIPTION:

RFP 08-11 Oconee County Spec Building II

Award RFP 08-11 to Roebuck Buildings of Roebuck, SC, as a Design Build contractor for the construction of a Spec Building of approximately 50,000sf in size to be located in the Oconee County Commerce Center and the retention pond that will serve a 19.2 acre site industrial site. Roebuck Building Company will be responsible for four phases of this project: Schematic, Design Development, Construction Documents and Final Construction phases. The estimated overall cost for this project is not to exceed \$1,810,000.00.

BACKGROUND OR HISTORY:

The need for a spec building has been under review since the sale of the first spec building in the Oconee County Commerce Center that has brought 60 new jobs and approximately \$10.0M in investments. Having a facility available is extremely important to attracting industrial prospects to our County.

On December 18, 2008, formal sealed proposals were opened for this project. Thirty-eight companies were originally notified of this opportunity. Eleven companies submitted proposals. The RFP Evaluation Committee consisting of James Alexander (Economic Development), Hank Field and Harold Gibson (Economic Development Commission Members), Art Halbrooks (Planning Commission), Lake Julian (Facilities Management) and Mack Kelly (County Engineer and Roads) evaluated and scored all proposals, interviewed the top four ranking firms and unanimously recommended award to Roebuck Buildings of Roebuck, SC.

SPECIAL CONSIDERATIONS OR CONCERNS:

The sale of the spec building will return a portion of the expenditures that may be used for future Economic Development programs or to other programs as directed by the Council.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes

STAFF RECOMMENDATION:

Award RFP # 08-11, Oconee County Spec Building II, which includes a building and a retention pond that serves a 19.2 acre industrial site in the Oconee County Commerce Center, to Roebuck Buildings, with the overall amount of this project not to exceed \$1,810,000.00.

The Economic Development Commission recommends that the funding for this project come from the following:

Econ Dev Infrastructure Fund (012-707-60707-00000)	\$1,289,097.00
Utility Tax Credit Funds AT&T (013-707-90200-00150)	\$ 130,000.00
Utility Tax Credit Funds BRIC (013-707-97003-00000)	\$ 240,000.00
Econ Dev Infrastructure Fund (010-707-60707-00000)	\$ 150,903.00
Total	\$1,810,000.00

FINANCIAL IMPACT:

Although there are several approaches to funding this project the Economic Development Commission is recommending using Tax Utility Credits (\$370,000) have already been received from Blue Ridge Electric Cooperative and AT&T) and Economic Development Infrastructure Line items funds for the remaining costs. *Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.*

A calendar with due dates marked may be obtained from the Clerk to Council.

An additional \$360,000 of Utility Tax Credit funding has been promised by Blue Ridge Electric Cooperative during the next 3 years. These remaining Utility Tax Credit funds may be used to offset the construction costs or for other qualifying needs.

ATTACHMENTS

1. Proposed expenses for the spec building, floor and retention pond.
2. Round 1 Scoring Summary Sheet
3. Round 2 Scoring Summary Sheet

Reviewed By/ Initials:

_____ County Attorney



_____ Finance

_____ Grants



_____ Procurement

Submitted or Prepared By:

_____ Department Head/Elected Official

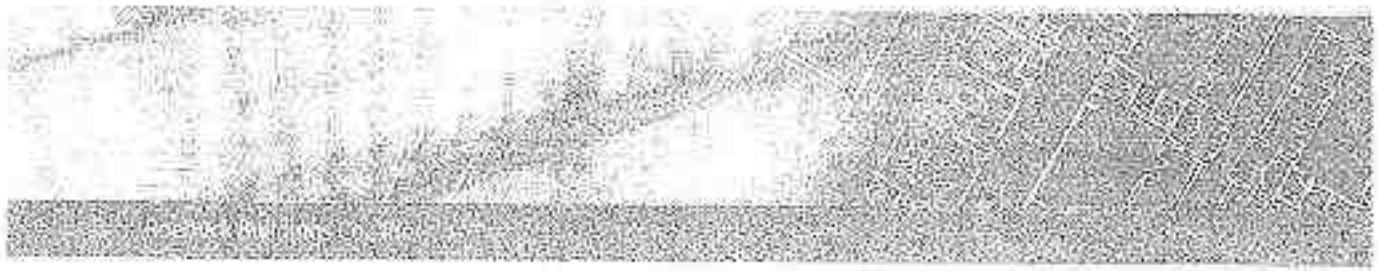
Approved for Submittal to Council:



_____ Kendra Brown, Asst. County Administrator

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A calendar with due dates marked may be obtained from the Clerk to Council.



- Phase I - Schematic - No Cost
- Phase II - Design Development - \$3,000 ✖
- Phase III - Construction Documents - \$26,000 or 3% whichever is less
- Phase IV - Construction - 4%

We suggest the following be done during the Design Development Phase:

1. Wetlands delineation and submittal to corp of engineers

\$975.00 ✓

2. Topographical survey and existing condition changes

\$2,975.00 ✓

3. Phase III Design Fee would change to \$20,000 if a pre-engineered structural system was used. Only the structural frame and roof would be pre-engineered, while the exterior could be any material the Team selects.

The City hereby solicits the best and most favorable

proposals for the design and construction

Osceola County

Professional Services

Bidders	Cunningham Waters Greer, SC	Harper Corporation Greenville, SC	M B Kahn Greenville, SC	Marsh Bell Easley, SC	Roebuck Buildings Roebuck, SC	T H S Greenville, SC	Thrill Brothers Spartanburg, SC	Trehel Glenison, SC	Warren & Associates Greenville, SC	Youngin Potter Shackelford Const Greenville, SC	York Constructors Greenville, SC
ROUND 1											
TOTAL	696.25	7373.75	2730.00	1953.10	2561.00	2030.00	362.78	2261.25	2101.00	2365.85	3221.25
AVG	664.35	345.63	355.44	330.52	426.05	333.33	116.62	325.21	350.31	394.87	576.21
RANKING	10	7	5	9	1	8	11	3	6	2	4

Bidders	Roebuck Buildings	Trebel	Yeargin-Pattier Shackelford Const	York Constructors
Address	Roebuck, SC	Clemson, SC	Greenville, SC	Greenville, SC
ROUND 2				
TOTAL	2587.51	2383.76	2351.88	2401.25
AVG	349.58	387.30	391.98	400.21
RANKING	1	3	4	2

Oconee County Spec Building II
Attachment – July 7, 2009

The first portion of this attachment provides the "proposal for Work from Roebuck Buildings dated April 21, 2009. As can be seen the basic costs are:

\$1,594,200.00 for the building and the detention pond

This number includes \$211,000 for grading, storm drainage, detention pond and utility extensions plus \$20,000 for the grassing of the pond. The total price of \$1,594,200.00 also includes allowances as shown on page 8 of the 8 page attachment.

Mr. Pritchard also notified me on June 15th that he reminded me that the project will be totally bid out and based on today's market he expects to improve on the budget.

I would recommend that we also accept the alternate to pour the slab for \$215,306.00. Discussions with several consultants indicate that allows prospects to move much quicker and although small portions of the slab may need to be changed out having the floor in the facility is important to the today's clients.

The total proposed cost at this point is \$1,809,506.00.

Request approval to go forward with the contract with Roebuck Buildings to construct a spec building with a poured slab and a detention pond that will serve approximately 19.2 acres of the Oconee County Commerce Center.



PROPOSAL FOR WORK

Roebuck Buildings, Inc. • www.roebuckbuildings.com
1000 S. Church St. Ex • PO Box 100 • Roebuck, South Carolina
Phone: (864) 576-6330 • Toll Free: (800) 751-5380 • Fax: (864) 687-1163

OCONEE 50,000 SF SPEC BUILDING

April 21, 2009

The project will consist of:

Design and construction of a new 50,000 sf speculative building as outlined in the attached Roebuck drawings. Work to include: grading of site, rework detention pond, install storm drainage, install concrete foundations, erect structural steel frame, erect insulated precast wall panels and install single ply roof system.

Base Bid

To design and construct a new 50,000 sf speculative building per this scope of work and attached drawings our price is **One Million Five Hundred Ninety-Four Thousand Two Hundred Dollars and NO/100 (\$1,594,200.00)**.

Alternate to Pour Slab

Pour unreinforced 50,000 sf 6" thick slab on grade using 4,000 psi strength concrete with 4" of compacted stone on vapor barrier. This will include all saw joints and dowels at construction joints.

ADD \$215,306.00

DETAILED SCOPE OF WORK

Division One – General Requirements

1. Architectural Drawings
2. Structural Drawings
3. Civil Drawing
4. Floor Plan
5. Elevations
6. Door and Finish Schedule
7. Sections and Details
8. Building Permits
9. Builders Risk Insurance
10. General Cleaning
11. Project Schedule
12. Full time Superintendent
13. Performance & Payment Bond

Division Two – Site Work

1. Grading and Storm Drainage
2. Landscaping – \$35,000 Allowance
3. Truck Paving – Not in Contract
4. Car Paving to be 6" stone and 2" asphalt (Area for Four (4) Cars) - \$17,000 Allowance
5. Grassing detention - \$20,000 Allowance
6. As Built Survey - \$5,000 Allowance
7. Building Signage - \$10,000 Allowance

Division Three – Concrete Work

1. Foundations
 - A. All Footings are designed by professional engineer.
2. Building Slab on Grade – Not in contract
 - A. Subgrade is -10' below finished floor.
 - B. Pour 1312 SF of 8" concrete floor at future office using 4000 psi strength concrete.
3. Concrete Paving – Not in Contract
 - A. Subgrade is -12' below grade.
4. Exterior wall on Four (4) sides to be insulated precast concrete wall panels, 12' wide x 6" thick insulated precast wall panels. Exterior to be form finish and interior to be light broom finish.
6. Miscellaneous Concrete
 - A. Door Pads
 - B. Sidewalk

Division Four – Masonry - Not in Contract

Division Five – Metals

1. 200' x 250' facility with 50' x 50' bays. The roof of the warehouse is framed with joists (26" Deep) bearing on joists girders (40" to 48" Deep) designed for a single ply mechanically attached membrane. The top of the steel at the high point is to be 39'-6" with a ¼" per foot slope down to 35'-4" at the low point. The lateral stability of the building is to be provided by precast shear walls.
2. Also included in the proposal are provisions for a future 50' x 50' office mezzanine. The columns in this area have been sized to accommodate the future mezzanine. Two additional columns and additional beams at the mezzanine elevation have been provided for this future mezzanine. These beams also provide support for a sunshade at the mezzanine elevation.
3. Misc. Metals
 - A. Wall-mount steel access ladder to Roof.
 - B. Roof access hatch for above.

Division Six – Lumber

1. Roof Nailers
 - A. Pressure treated pine blocking as required.
2. Architectural Woodwork – Not in Contract

Division Seven – Moisture Protection

1. Roofing system will consist of a 45 mil reinforced (white) TPO mechanically attached membrane over one (1) layer of 3.25" thick (R-20) polyisocyanurate insulation.
2. The membrane and insulation will be attached to the steel deck with mechanical fasteners to comply with the manufacturer's recommendation in accordance with local wind uplift requirements.
3. 24 gage (standard color) kynar coated copings, gutters and downspouts.
4. Provide manufacturer's 20 year warranty.
5. One (1) Bilco S-20 roof hatch.
6. 200 F of walk pads included.

Division Eight – Doors, Frames & Hardware

1. Hollow Metal Doors & Frames
 - A. Eight (8) single 3'x7' exterior.
2. Wood Doors – Not in Contract
3. Door Hardware
 - A. Eight (8) sets Door Hardware Material.
4. Aluminum Storefront – \$14,500 Allowance

One (1) Pair 6' x 7' Aluminum Storefront Entry Doors

- Narrow stile and rail
- 3/4" glazing
- Intermediate and offset pivots
- Standard push/pulls
- Jackson panic hardware
- Surface-mount close
- Clear anodized aluminum

B. Aluminum Storefront Windows (Included in allowance for storefront)

- Thirteen (13) 3' x 4' windows in precast
- Clear anodized aluminum frame
- Tinted Glass
- Low E Insulated glass

C. Overhead Doors -

- A. Three (3) 8' x 10' manual insulated sectional steel door with full vertical lift

D. Rolling Steel Door

- One (1) 12' W x 14' High rolling steel door
- Chain Operated
- Designed for future electric operation
- Non-insulated
- 22 gauge gray primed flat slats

Division Nine - Finishes

1. Paint Exterior Metal Doors
2. Paint Cages Ladder to Roof
3. Paint Exterior of Precast Concrete Panels

Division Ten - Specialties - Not in Contract

Division Eleven - Equipment - Not in Contract

Division Twelve - Furnishings - Not in Contract

Division Thirteen - Special Construction - Not in Contract

Division Fourteen - Conveying System - Not in Contract

Division Fifteen – Mechanical

1. Plumbing

- A. Extend 8" PVC Sewer Main Approximately 470 LF

2. Fire Protection System

- A. Extend 8" Ductile Iron Pipe Approximately 200 LF and include One (1) Fire Hydrant.

3. HVAC

- A. Provide two (2) wall exhaust fans for ventilation. These fans will be placed in window frames and can be removed and replaced with windows at the sale of the building. This will help to minimize moisture in the building.

Division Sixteen – Electrical

1. Service

- 2. 200 Amp temporary service
- 3. Nine (9) 1000 watt fixtures for showing the building, which are breaker controlled
- 4. Nine (9) Exit/emergency combos with remote egress heads at doors
- 5. Four (4) quad duplexes on separate circuits at panel
- 6. Wire Two (2) exhaust fans 110v, breaker controlled
- 7. Twelve (12) 400 watt Metal Halide shoebox style fixtures located around building perimeter Three (3) sides
- 8. 3' pvc stubs from inside plant to outside for future transformer pad

QUALIFICATIONS

1. Design Basis

- A. Design is based on interpretations of building code requirements that may or may not meet specific requirements of specific insurance underwriter.

2. Contractual

- A. Allowances are all inclusive (i.e., include labor, material, subcontract, taxes, freight, etc.)

EXCLUSIONS

1. Parking lot lighting
2. Slab on grade
3. Stone on pad
4. Vapor barrier

ALLOWANCES (INCLUDED IN BASE PRICE)

1. Landscaping/Irrigation	\$35,000
2. Asphalt Paving for Cars	\$17,000
3. Architectural Metal Shading Canopy	\$50,000
4. Signage Allowance	\$10,000
5. Storefront Allowance	\$14,500
6. Grading & Storm Drainage	\$211,000
7. Grassing of Pond	\$20,000
8. As Built Survey	\$5,000
9. 3 rd Party Testing	\$7,500
10. Soil and Concrete Testing	\$3,000
11. Wetland Delineation	\$1,000

* These listed allowances include materials, sales taxes, labor (including burden), and equipment.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

RFP 08-26 Financial Auditing Services

Award RFP 08-26 to McAbee, Talbert & Halliday & Company of Spartanburg, SC in the amount of \$60,000 beginning with fiscal year 2009-2010 and also authorizing four (4) one year renewals if both parties are in agreement.

BACKGROUND OR HISTORY:

This Request for Proposal was issued to select a firm of Independent Certified Public Accountants to provide auditing and consulting services to Oconee County beginning with the fiscal year 2009-2010. Under South Carolina law, Oconee County must provide for an independent annual audit of all financial records and transactions of the County to be made by a Certified Public Account (or firm of such accountants) which has no personal interest, direct or indirect, in the fiscal affairs of the County or its officers.

On May 12, 2009, formal sealed proposals were opened for Financial Auditing Services. Fifteen firms were originally notified of this opportunity and seven firms submitted proposals. An evaluation committee consisting of Kendra Brown, Interim County Administrator & Finance Director, Sally Lowery, Fiscal Analyst, and Susan Bright, Payroll Specialist for the Oconee County School District, reviewed all proposals, interviewed the top three ranking firms and voted unanimously to recommend McAbee, Talbert & Halliday & Company for this award.

SPECIAL CONSIDERATIONS OR CONCERNS:

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes

STAFF RECOMMENDATION:

Staff recommends the award of RFP 08-26 Financial Auditing Services to McAbee, Talbert & Halliday & Co. in the amount of \$60,000 for FY 2009-2010 with four additional one year renewals with an increase of three percent a year for additional amounts as follows: FY 2010-2011 - \$61,800, FY 2011-2012 - \$63,600, FY 2012-2013 - \$65,500 and FY 2013-2014 - \$67,465 for a grand total of \$318,365.

FINANCIAL IMPACT:

Sufficient funds will be provided in each budget year to cover the costs of each annual audit.

ATTACHMENTS

1. Round 1 Summary Scoring Sheet
2. Round 2 Summary Scoring Sheet

Reviewed By/ Initials:

____ County Attorney  Finance N/A Grants RC Procurement

Submitted or Prepared By:



Department Head/Elected Official

Approved for Submittal to Council:



Kendra Brown, Interim County Administrator

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Scoring Tab Sheet - 3rd Evaluation Meeting June 17, 2009 at 10:00 am
ROUND 2

	Elliott Davis	Greene, Finney & Horton	McAbee Talbert & Halford	
TOTAL	1215.75	1144.75	1371.75	
RANKING	2	3	1	

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Bid 08-16 Oconee County/Tri County Technical College Quick Job Development Center

Award Bid 08-16 to Joy Construction of Seneca, SC in the amount of \$504,504.00 for the Oconee County Tri County Technical College Quick Job Development Center. This building will be approximately 4,305 square feet and will house classrooms, offices and shops for Tri-County Technical College.

Staff is also requesting that County Council approve change orders to this project not to exceed 20% of the awarded amount. (See explanation below)

BACKGROUND OR HISTORY:

Oconee County received a Community Development Block Grant (CDBG) in the amount of \$986,364 for the purpose of building a workforce training facility in Oconee County. The building will be constructed on approximately two acres of land adjacent to the Hamilton Career Center that was deeded to Oconee County from the Oconee County School District. Through a Memo of Understanding, Tri County Technical College agreed to be responsible for all the engineering and design costs of this building, any inspections or testing required, and all equipment and furnishings with matching funds in the amount of \$246,036. Oconee County would construct the building utilizing the CDBG grant funds. Tri County Technical College agreed to fully operate and maintain the building and provide workforce skills training as described in the CDBG grant application.

On June 23, 2009 formal sealed bids were opened for this equipment. Twenty-six companies attended the mandatory pre-bid meeting. Thirteen companies submitted bids, with Joy Construction of Seneca, SC submitting the lowest bid of \$504,504.00.

SPECIAL CONSIDERATIONS OR CONCERNS:

Due to the fact that the low bid was considerably less than the amount of the grant, staff is requesting Council to approve change orders to this project that will directly enhance the operating efficiency, safety and security of this building. These enhancements would include more energy efficient HVAC, lighting, insulation and monitoring systems; security cameras, lighting for the parking lot, landscaping, a generator and other items as may be approved by the Appalachian Council of Governments and the SC Dept. of Commerce, who will be responsible for administering this grant. These additional items will total approximately 20% of the awarded amount and no additional County funds will be utilized.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes

STAFF RECOMMENDATION:

Award bid #08-16 to Joy Construction of Seneca, SC, in the amount of \$504,504.00.

Approve additional change orders for this project as explained above. Change orders will be agreed upon by Oconee County and Tri County Technical College and will not exceed the grant amount allocated for this project.

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head/Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

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FINANCIAL IMPACT:

Funding for this project is provided by a federally funded Community Development Block Grant (CDBG) from the SC Department of Commerce in the amount of \$986,364 and matching funding from Tri-County Technical College in the amount of \$246,036. No Oconee County funds will be utilized for this project.

ATTACHMENTS

- 1. Bid Tabulation
- 2. List of Building Enhancements (Change Orders)


Reviewed By/ Initials:

_____ County Attorney  Finance _____ Grants  Procurement

Submitted or Prepared By:


Department Head/Elected Official

Approved for Submitted to Council:


Kendra Brown, Asst. County Administrator

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A calendar with due dates marked may be obtained from the Clerk to Council.*

I hereby certify that to the best of my knowledge this tabulation of bids is correct.

Robyn Courtright
Robyn Courtright, Procurement Director

Bidders	Cannon Construction	Durham-Greene	H & M Constructors	Harper Corporation	Hatfield Builders
Address	Greenville, SC	Easley, SC	Asheville, NC	Greenville, SC	Greenville, SC
Addendum # 1 & # 2	YES	YES	YES	YES	YES
Bid Bond	YES	YES	YES	YES	
Base Bid	Non-responsive	\$540,000	\$634,500	\$567,976	\$514,280
Bidders	J. Davis Construction	Joy Construction Inc.	Marsh/Bell Construction	Momentum Construction	Moon McManus Builders
Address	Westminster, SC	Seneca, SC	Easley, SC	Simpsonville, SC	Greer, SC
Addendum # 1 & # 2	YES	YES	YES	YES	YES
Bid Bond	YES	YES	YES	YES	YES
Base Bid	\$508,774	\$504,504	\$582,121	\$520,000	\$591,837
Bidders	Robinson Construction Co.	Yeargin Potter Shackelford	Zorn Co., Inc.		
Address	Easley, SC	Greenville, SC	Seneca, SC		
Addendum # 1 & # 2	YES	YES	YES		
Bid Bond	YES	YES	YES		
Base Bid	\$543,500	\$598,000	\$683,777		

Ozonee Quick Jobs Building Enhancements

1. Improved HVAC unit SEER rating.
2. Improved lighting efficiency (T5's vs T8's).
3. Energy management system.
4. Occupancy sensors in classrooms, lab, offices, breakroom and restrooms to tie into lighting and HVAC controls.
5. Small split system in data room to condition space 24/7.
6. Automatic hand dryers, flush valves and faucets in restrooms.
7. Improved building insulation.
8. Security system with door sensors, glass breaks, and entrance cameras.
9. Light poles in parking lot.
10. Emergency back-up generator.
11. Window shades.
12. Landscaping.

AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Bid 08-19 Communications Tower and Prefabricated Building

Award Bid 08-19 to K-Co Enterprises of Pelzer, SC in the amount of \$219,898.00 to provide and install a 190 foot self-supporting communications tower, a prefabricated electronic equipment building, security fencing and all necessary electrical and grounding components at the Piedmont Forestry Radio Site, 1193 Cheochee Valley Road, Tamassee, SC.

BACKGROUND OR HISTORY:

This is the sixth and final site needed to complete the Oconee County Public Safety Radio Votor Network that was designed in 2001. The original design was for six sites. Funding was approved in FY 2005-2006 for the fifth and sixth sites. The fifth site was completed in 2007 by sharing the facilities of WRAP FM Station in Toccoa Falls, GA. Originally the County intended to use joint facilities owned by Duke Power or one of the water towers in the County for the sixth site. After extensive site analysis was completed in 2008, it was determined that the Piedmont Forestry site on Cheochee Valley Road in Tamassee, SC, was the best location for the sixth site to complete full coverage for the eastern side of the County. The County has obtained an agreement with the State Forestry Department to use this site. Therefore it was determined that the County would have to fund the full construction of the communications tower and prefabricated building to utilize the best location for the sixth site.

On June 24, 2009 formal sealed bids were opened for this equipment. Nine companies originally attended the mandatory pre-bid meeting for this project. Six companies submitted bids, with K-Co Enterprises of Pelzer, SC submitting the lowest bid of \$219,898.00 for the complete project.

SPECIAL CONSIDERATIONS OR CONCERNS:

This site is the only radio site in the system that has no commercial power hookup, no building, and no tower facilities; everything at this facility has to be provided as a totally new site. This bid provides for the installation of the communications tower, the prefabricated electronic equipment building, security fencing and minimum road establishment about 1500 feet off the main road to be provided by one vendor. The equipment needed for the tower and the building will be purchased separately at a later date, when this project is closer to completion.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes.

STAFF RECOMMENDATION:

Award bid #08-19 to K-Co Enterprises of Pelzer, SC for the amount of \$219,898.00.

FINANCIAL IMPACT:

For FY 08-09, \$133,005 is available from budget code: 012-104-82009-0000. Additional funds in the amount of \$86,893 are available from FY 09-10, budget code: 225-104-50840-0000.

ATTACHMENTS

1. Bid Tabulation

Reviewed By/ Initials:

____ County Attorney

____ Finance

____ Grants

RL Procurement

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Submitted or Prepared By:

Robert Courtwright
Department Head/Elected Official

Approved for Submittal to Council:

Kendra Brown
Kendra Brown, Asst. County Administrator

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**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM**

ITEM TITLE OR DESCRIPTION:

Award the purchase of 21 desktop computers and three laptop computers in the amount of \$29,971.79 to Dell Marketing of Atlanta, GA, per State Contract #05-S6656-A1104 and NASPO/WSCA contract # A63507. These computers and laptops will be used by all four libraries in Oconee County.

BACKGROUND OR HISTORY:

The desktop and laptop computers contained within this order will be used in all four Oconee County libraries by library staff and also by the public. Some will be replacing end-of-life computers and a few will be additional units. The public utilizes computers in all the libraries to access the internet and do a variety of tasks.

SPECIAL CONSIDERATIONS OR CONCERNS:

Oconee County has purchased Dell desktop computers as a standard for the last three years from the SC State Contract or the NASPO/WSCA (National Association of State Purchasing Officers/Western States Contract Alliance) whichever contracted price was less. This order of 21 desktops and 3 laptops was able to utilize the lower price the County had already negotiated with Dell for the large quantity of desktops and laptops approved for the IT department in May 2009. State Contract unit price was \$1,466.65 for the desktops and \$1,884.07 for the laptops. Our price is \$1,203.01 for the desktops and \$1,539.00 for the laptops. These computers are equipped with a 3GB hard drive, 4GB memory, 19" flat panel monitor, Microsoft Office 2007 Professional, Adobe Acrobat 9.0, Windows XP Vista operating system and a 1 year next business day onsite service warranty.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes

STAFF RECOMMENDATION:

Staff recommends that County Council approve this purchase of 21 desktop computers and 3 laptop computers for the Oconee County Library System in the amount of \$29,971.79 to Dell Marketing of Atlanta, GA, based on the negotiated price.

FINANCIAL IMPACT:

The funding for this purchase comes from the Library Technology Fund, budget code 12-206-50840-8300. There is no matching County funding required.

ATTACHMENTS

Reviewed By/ Initials:

_____ County Attorney

_____ Finance

_____ Grants

_____ Procurement

Submitted or Prepared By:

Department Head/Elected Official

Approved for Submittal to Council:

Kendra Brown, Assistant County Administrator

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AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Request for Oconee County PRT to participate in the 2010 Atlanta Boat Show as an exhibitor January 13-17, 2010.

BACKGROUND OR HISTORY:

The PRT Department requests the use of up to \$6,500 from the 75% fund of the local accommodations tax for all costs associated with having an Oconee County booth at the upcoming Atlanta Boat Show. These funds will cover booth expenses, marketing material, as well as travel, lodging and per diem for staff and several PRT commission members to work the 5 day show from January 14-18, 2009. The CVB will also assist with personnel to manage the booth. This show averages 50,000 in attendance annually and provides an opportunity to showcase Oconee County and the surrounding lakes to the Atlanta region. Using funds to promote Oconee County in a way to generate publicity is an acceptable expenditure of local accommodations tax funds.

SPECIAL CONSIDERATIONS OR CONCERNS:

This will be our third year as an exhibitor at the Atlanta Boat Show. It is great exposure to the Atlanta Market for Oconee County.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No (review 1300-15 on Procurement's website)
If no, explain briefly: Yes

STAFF RECOMMENDATION:

Approval of use of local accommodations tax funds for operating an Oconee County trade show booth at the 46th Atlanta Boat Show January 13-17, 2010.

FINANCIAL IMPACT:

Up to \$6,500 with all funds coming from the 75% fund of the Local Accommodations Tax. The existing balance of the 75% fund is \$53,920.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much:

ATTACHMENTS

Reviewed By/ Initials:

County Attorney



Finance



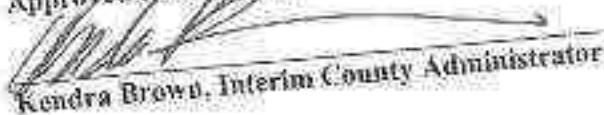
Grants

Procurement

Submitted or Prepared By:

Phil Shirley, PRT Director
Department Head/Elected Official

Approved for Submittal to Council:


Kendra Brown, Interim County Administrator

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AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

ATAX Expenditures for the 30% ATAX fund distributed to the Oconee Tourism Commission, a Commission representing the Chambers of Commerce within Oconee County

BACKGROUND OR HISTORY:

In accordance to SC Code of Laws 6-4-10 (1), Oconee County selected the Chambers of Commerce collectively in 1992 through the Oconee Tourism Commission to manage this fund. The Oconee Tourism Commission is made up of seven members representing all three Chambers of Commerce including 3 from the Greater Oconee Chamber, two from the Greater Walhalla Chamber and two from the Greater Westminster Chamber. The Oconee Tourism Commission shall submit for approval a budget for the planned expenditures to County Council. This will be done twice a year in July and September following the receipts of the 3rd quarter and 4th quarter checks.

SPECIAL CONSIDERATIONS OR CONCERNS:

This budget was approved by unanimous vote at the June 15, 2009 meeting of the Oconee Tourism Commission.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No (review #2001-15 on Procurement's website)
If no, explain briefly: N/A

STAFF RECOMMENDATION:

Approval of budget of planned expenditures.

FINANCIAL IMPACT:

\$14,400 with funds coming from the 30% fund of the State ATAX balance. If approved, the remaining balance would be \$110,76

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much:

ATTACHMENTS

Proposed Budget:

Reviewed By/ Initials:

____ County Attorney _____ Finance RLW Grants _____ Procurement

Submitted or Prepared By:

Approved for Submittal to Council:

Phil Shirley, PRT Director
Department Head/Elected Official

Kendra Brown
Kendra Brown, Interim County Administrator

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Oconee Tourism Commission
30% ATAX Proposed Budget
June 2009

<u>Current Balance:</u>	<u>\$14,510.76</u>
SC Apple Festival Advertising	
Radio-WSSL/Greenville	\$2275.
Magazine-Living in SC	\$1240.
Wesminster Chamber Advertising	
Oconee Magazine	\$500.
Tourism Promotion-Living in SC	\$785.
Walhalla Oktoberfest Advertising	
East Park Printing (Brochures)	\$1,000.
Greenville News	\$1,200.
Anderson Independent	\$800.
German-Life Magazine	\$400.
Radio-WESC 92.5/Greenville	\$900.
Newspapers-Highlander/Cashiers NC	\$300.
The Clemson Weekly's	\$200.
Oconee Tourism Video	\$1,000.
Oconee Chamber Tourism Brochures/Tourism Advertising	\$2,800.
Blue Ridge Arts Council, Walhalla Civic Auditorium and/or Downtown Merchants Association	\$1,000.
Total Budget	\$14,400
Remaining Balance	\$110.76

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

Request to convert one vacant full-time Convenience Center Clerk position to two part-time positions.

BACKGROUND OR HISTORY:

The Solid Waste department currently has 22 full-time and 4 part-time Convenience Center Clerks. Conversion of the one vacant position to two part-time would allow for more flexibility in scheduling.

SPECIAL CONSIDERATIONS OR CONCERNS:

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No (review #2001-15 on Procurement's website)
If no, explain briefly:

STAFF RECOMMENDATION:

Convert one full-time position to two part-time positions.

FINANCIAL IMPACT:

No budget changes are proposed at this time, plan would be to use any savings for additional part-time hours as needed.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much:

ATTACHMENTS

Reviewed By/ Initials:

_____ County Attorney



_____ Finance

_____ Grants

_____ Procurement

Submitted or Prepared By:

_____ Department Head/Elected Official

Approved for Submittal to Council:


_____ Kendra Brown, Interim County Administrator

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**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM**

ITEM TITLE OR DESCRIPTION:

Permission for PRT to apply for a \$7,500 Heritage Corridor grant through the South Carolina National Heritage Corridor for the completion of an Oconee County Tourism Action Plan by Clemson University's Tourism Research Department

BACKGROUND OR HISTORY:

In order to qualify for State Product Development Funds to enhance tourism infrastructure, we must complete and adopt a county wide tourism action plan to show potential areas of tourism development. Clemson University has the framework in place through their Tourism research department to administer this process.

SPECIAL CONSIDERATIONS OR CONCERNS:

Clemson University is currently assisting several other counties, including Pickens County in the completion of this process.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No (review #2001-15 on Procurement's website)
If no, explain briefly: No, would require upon approval of grant to waive bid process to utilize Clemson University, a State University with the framework to complete to State standards this Plan.

STAFF RECOMMENDATION:

Approval to apply for \$7,500 grant.

FINANCIAL IMPACT:

If approved, the grant requires a 50% match. The total cost for Clemson to complete the plan would be \$15,000. Matching funds (up to \$5,000) would be pulled from budgeted PRT grant matching funds and \$2,500 utilized from the Mtn. Lakes CVB.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No
If yes, who is matching and how much: PRT-\$5,000 Min. Lakes CVB-\$2,500

ATTACHMENTS

Reviewed By/ Initials:

_____ County Attorney _____ Finance _____ Grants _____ Procurement

Submitted or Prepared By:

Appraised for Submittal to Council:

Phil Shirley, PRT Director
Department Head/Elected Official

Kendra Brown, Interim County Administrator

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AGENDA ITEM SUMMARY
OCONEE COUNTY, SC

COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

The Oconee County Sheriff's Office requests approval to apply for the FY 2009 Edward Byrne Memorial Justice Assistance Grant.

BACKGROUND OR HISTORY:

The Edward Byrne Memorial Justice Assistance Grant is administered by the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. This program supports the efforts of local governments to prevent and control crime and to improve the criminal justice system. These funds are allocated based on population and crime statistics. No matching funds are required from Oconee County.

This Edward Byrne Memorial Grant is the annual FY 2009 cycle. The previous Edward Byrne Memorial Grant that council approved application for in March was an additional program supplemented through funding from H.R.1 American Recovery and Reinvestment Act of 2009 ("The Stimulus Bill"). This grant is a non-competitive allocation.

SPECIAL CONSIDERATIONS OR CONCERNS:

This grant will be used to acquire law enforcement equipment and technology.

- Oconee County Sheriff's Department
Edward Byrne Memorial Justice Assistance Grant - \$26,087
There is NO local match required.

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes/No (review #2001-15 on Procurement's website)
If no, explain briefly:

STAFF RECOMMENDATION:

Approval to apply for FY 2009 Edward Byrne Memorial Justice Assistance Grant.

FINANCIAL IMPACT:

Edward Byrne Memorial Justice Assistance Grant - \$26,087

NO local match required.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: N/A
If yes, who is matching and how much: N/A

ATTACHMENTS

Reviewed By/ Initials:

County Attorney

 Finance

 Grants

Procurement

Submitted or Prepared By:

Veronda Holcombe-Lewis

Department Head/Elected Official

Approved for Submittal to Council:


Kendra Brown, Asst. County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Item Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head/Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: July 7, 2009
COUNCIL MEETING TIME: 7:00 PM

ITEM TITLE OR DESCRIPTION:

The Oconee County Emergency Services Department wishes to request permission to apply for the Assistance to Firefighters Fire Station Construction Grant.

BACKGROUND OR HISTORY:

The Assistance to Firefighters Fire Station Construction Grants (FSC) provide financial assistance directly to fire departments on a competitive basis to build new or modify existing fire stations in order for departments to enhance their response capability and protect the community they serve from fire and fire-related hazards. No matching funds are required from Oconee County.

This grant is provided through the funding from H.R.1 American Recovery and Reinvestment Act of 2009 ("The Stimulus Bill").

SPECIAL CONSIDERATIONS OR CONCERNS:

This grant will be used to rehabilitate current fire stations and build new facilities.

- Five (5) new fire stations
- Three (3) current station replacements
- Five (5) current station renovations

COMPLETE THIS PORTION FOR ALL PROCUREMENT REQUESTS:

Does this request follow Procurement Ordinance #2001-15 guidelines? Yes / No [review #2001-15 on Procurement's website]
If no, explain briefly:

STAFF RECOMMENDATION:

Approval to apply for FY 2009 Assistance to Firefighters Fire Station Construction Grant.

FINANCIAL IMPACT:

NO local match required.

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: N/A

If yes, who is matching and how much: There is no match required.

ATTACHMENTS

Reviewed By/ Initials:

_____ County Attorney  Finance  Grants _____ Procurement

Submitted or Prepared By:

Veronda Holcombe-Lewis

Approved for Submittal to Council:



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NOTES
TRANSPORTATION COMMITTEE MEETING
June 23, 2009 & June 30, 2009

Discussion of Requests by Citizens:

Coneross Point Subdivision Sign Agreement

It was the recommendation of the committee that the issue be forwarded to the county attorney for a recommendation before a decision can be reached.

Tree Cutting / Mr. Ed Pugh

6/23: It was the recommendation of the committee that Mr. Kelly meet again with Mr. Pugh and make a recommendation if a waiver should be granted. If a waiver is not approved the matter would have to be brought before the Board of Zoning Appeals.

6/30: It was the decision of the Committee after further review of material from Mr. Pugh and information from the County Engineer that the trees are in the right of way and will be cut down. Mr. Pugh was afforded several days to move the trees if he wished but he was informed that the Road Department would commence work again on this road improvement project on Monday, July 6, 2009.

[REQUEST MOTION TO APPROVE COMMITTEE ACTION]

Cedar Creek Lane / Mr. Don Murray

It was the recommendation of the committee to have Mr. Kelly provide Mr. Murray with a copy of Ordinance #2008-19 and that he address the issues outlined in the ordinance at the next POA meeting.

Reid Drive, Salem

It is the recommendation of the committee after a unanimous vote to deny Mr. Reid's request for assistance with his private driveway.

[REQUEST MOTION TO APPROVE COMMITTEE VOTE]

Road Paving Expenditures:

The Committee discussed briefly road paving capital projects & instructed Mr. Kelly to prepare a paving list noting that Council would decide how to fund the projects.

Old Business:

Merry Branch Road

Mr. Kelly noted that we are still awaiting a definitive recommendation from the attorney.

COE Request for County to accept Choestoes Road

Mr. Martin Dotson, COE, addressed the committee and outlined the Corp's position and request that the county take over this road after it has been upgraded to current county road standards.

[REQUEST DISCUSSION AND VOTE AT THIS MEETING]

Bennettsville Road / Update & Options

Mr. Kelly was instructed to explore various options and obtain cost estimates for discussion at a future meeting.

Jenkins Bridge Update

Mr. Kelly was instructed to explore various options and obtain cost estimates [to include a hollow core bridge] for discussion at a future meeting.

NOTES
BUDGET, FINANCE & ADMINISTRATION COMMITTEE
WORKSHOP MEETING
June 11, 2009

Keowee Fire District Adjustment:

Ms. Brown reviewed with the committee an issue identified regarding the Keowee Fire District. Previously mileage was being collected at 13.5 not 14.5. This has been corrected for this fiscal year as reflected in the chart below.

Rollovers:

Ms. Brown provided the committee members with a letter from solicitor, Chissy Adams, asking that her staff be exempted from the furloughs and offered to transfer funds into the general fund to cover the equivalent dollar amount.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 3 - 0 to approve the transfer of funds as outlined above.

Ms. Brown provided the committee members with a worksheet that was discussed line by line regarding rollover requests from specific county departments. She stated that the criteria for bringing a request before Council were as follows:

- [1] funds had to remain in the current budget and be designated for a specific project
- [2] funds were not used in current budget for valid reason, and
- [3] funds must be designated for the completion of the project in the upcoming year.

Changes:

Ms. Brown provided the committee members with a worksheet that was discussed line by line regarding changes requested for specific county departments.

Potential Capital Projects:

Discussion of Capital Projects was deferred to a future Budget, Finance & Administration meeting for in depth study and action.

Next Meeting:

It was the consensus of the Committee to delay scheduling a Budget, Finance & Administration Committee meeting until after the special election to fill the vacant District I seat is completed and the new Council member is sworn into office.

The Real Estate, Facilities & Land Management Committee met Saturday, June 6, 2009 at 9:00 AM

Discussion regarding Solid Waste Issues / Strawberry Hill Manned Convenience Center:

After a presentation by the Solid Waste Director, it was the recommendation of the committee to this Council to begin design work in preparation for a move of Manned Convenience Center [MCC] #1 / Strawberry Hill.

Discussion regarding Right of Way Easement with Blue Ridge Electric Coop [BREC]:

Ms. Brown & Mr. Still outlined a proposed arrangement with Blue Ridge Electric Coop for an easement at the landfill and the installation of an additional power pole [estimated cost \$16,000]. It was the recommendation of the committee to have the Clerk to Council to forward to the County Attorney, Tom Martin, copies of the documents for his review and recommendation to full Council at a later date.

PLANNING COMMISSION:

	TERM	TERM BEGINS	TERM ENDS	DISTRICT
Andrea Heller 27 Calm Sea Drive, Salem, SC 29676 934 0255 (H)	4 yrs	April 14, 2009	February 2011	1
OPEN SEAT	4 yrs		February 2013	2
OPEN SEAT	4 yrs		February 2011	3
Tommy Abbott PO Box 328, Westminster, SC 29693 647-5077 [H] 647-5424 [W]	4 yrs		February 2011	4
Ryan Honea 110 Aden Drive, Fair Play, SC 29643 972 3769 (H)	4 yrs	March 17, 2009	February 2013	5
OPEN SEAT	4 yrs		February 2013	At Large
OPEN SEAT	2 yrs 1 st Term / 4 yrs after		February 2011	At Large

ORDINANCE 2009-10:

The membership of the county planning commission shall be seven (7) in number, selected and appointed by a majority vote of the membership of the county council voting in any meeting of county council, duly assembled, with one (1) member being selected from each of the five (5) county council districts in existence and as delineated at the time of the adoption of this section, nominated by the respective member of county council from each district, together with two (2) members from the county at large - one of the at-large members to be nominated by the sitting members of the Planning Commission; and the other at-large member to be nominated by the Soil and Water Conservation District Commission.

Terms of Members.

1. The length of the regular term served by each member shall be four (4) years, beginning on January 1 of the year of appointment.
2. For the purposes of implementing the standards of this section, and thereby returning the reappointment/replacement schedule of the membership of the commission to staggered lengths in as fair and equitable manner as possible, the following shall apply:
 - (a) All members appointed by county council district shall serve for the same term as the length of the remaining term of the council member who appointed them, after which the term of such district members shall be equal to and coincidental with the term of the council member appointing or reappointing them, with all terms or parts thereof starting as of January 1 of the year of appointment or reappointment.
 - (b) The first at-large member appointed by county council after adoption of the reappointment of this section shall serve for four (4) years and the second such at-large member shall serve for two (2) years, after which the term of each such at-large member shall be four (4) years following appointment/reappointment, with all terms or parts thereof starting as of January 1 of the year of appointment or reappointment.
3. In the event the regular term of a member in good standing expires prior to reappointment or replacement by County Council, said member shall continue to serve until his/her replacement is appointed and qualified. The date of reappointment or replacement, however, in no way alters the scheduled length of the term.

CONEE COUNTY COUNCIL COMMISSION / BOARD CANDIDATE LISTING

	DISTRICT	PLANNING COMMISSION	AT LARGE
John Little	1	YES	YES
John Lyle	1	YES	YES
Linda Lovely	1	YES	
Phil Soper	1	YES	YES
Randy Abbott	1	YES	YES
Rex Ramsey	1	YES	YES
Charles Smith	2	YES	YES
Charles Wilbanks	2	YES	YES
Donald Owen	2	YES	
Howard Moore	2	YES	YES
Ken Dunn	2	YES	YES
Susan Watson	2	YES	
William Graham	2	YES	YES
Doug Roth	3	YES	YES
Gary Littlefield	3	YES	YES
Gregory Amsden	3	YES	
Larry Linsin	3	YES	YES
William Gilster	3	YES	
Gene Blair	5	YES	
Richard "Dick" Hughes	5	YES	YES
Rodney Franks	5		

 Currently serving

DISTRICT I Andrea Hiller Confirm Appointment through 2011

DISTRICT II OPEN SEAT

DISTRICT III OPEN SEAT

DISTRICT IV Tommy Abbott Confirm Appointment through 2013

DISTRICT V Ryan Honea Confirm Appointment through 2013

AT LARGE OPEN SEAT To be nominated by the Planning Commission

AT LARGE OPEN SEAT To be nominated by the Soil & Water Conservation District

Membership

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Oconee Soil and Water Conservation District

Commissioners

Alexander P. "Rex" Ramsay, Chairman
Dorothy Lee, Secretary-Treasurer

Lee Keese, Vice-Chairman
Robert C. "Bob" Winchester

Lee J. "L.J." Jones

July 1, 2009

Oconee County Council
Attention: Ms. Beth Hulse
415 South Pine Street
Wahalla, SC 29691

Dear Ms. Hulse:

The Oconee County Soil and Water Conservation District Board of Commissioners unanimously voted on June 29, 2009 to nominate Alexander P. "Rex" Ramsay as an at-large member on the Oconee County Planning Commission. If you should have any questions, please call me at 638-2213, extension 101.

Sincerely,



Ann A. Herron
District Manager

Harris Family
151 Harris Drive
Salem, SC 29676

June 24, 2009

To Whom It May Concern,

We, the residents on and along Harris Drive in Salem would like to thank everyone involved in the improvement and paving of Harris Drive. The men worked tirelessly through good weather and bad, even paving in the rain.

After forty years of dealing with a gravel drive that would wash away in downpours and cause horrendous dust in droughts, it is wonderful to drive on this great new surface.

Thanks to the men on the crews who worked here, we now have nice clean vehicles, less dust in the house, and we no longer have to deal with a wash boarded gravel road. We realize that it cost the county a good deal of money to improve and pave this road, however we feel that it is tax payer money well spent. Over the years it must have cost a great deal more to repair the road and replace gravel that was washed away with each storm than to pave the road and be done with it.

We would also like to apologize to the crews for the constant traffic in and out while they were trying to work. They were very accommodating and couldn't have been nicer.

Thank you Oconee County Road Department for a job well done.

With Much Appreciation,
Annie Mae Harris

Jackie and Ray Harris

Bruce and Vivian Harris

Robert and Wilma Harris

Jimmy and Jennie Harris

Cassie, David and Bonne Harris

And Christina Skeers

Citizen Comment Form



Date: _____
Name: _____
(Please Print Name Clearly)
Address: _____
(Please Print Name Clearly)

Telephone: | _____ | _____ | _____ |
(Area) City/State Zip Code Home Office Cellular

Staff Name: _____
Department: _____
Comment / Concern: _____

Please Check One of the Following: Response Requested Response NOT Requested

Please Return the Completed Form to the Administration's Office. Thank you for your input.
If You Would Like a Copy of this Form or Submit a Comment or Inquire, please contact: hr@ocregister.com

Citizen Comment Form



Date: _____
Name: _____
(Please Print Name Clearly)
Address: _____
(Please Print Name Clearly)

Telephone: | _____ | _____ | _____ |
(Area) City/State Zip Code Home Office Cellular

Staff Name: _____
Department: _____
Comment / Concern: _____

Please Check One of the Following: Response Requested Response NOT Requested

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